TUESDAY, FEBRUARY 19, 1878.

71 VS 40.

The great battle of the people was won on Saturday the 9th, in question, and this House knows in to these terms in this bill. I pause briefly as I can, for a tortured people swear that Virginia should pay or die the House of Delegates—the bat- Bill No. 92. tle of the State against the Funding Bill. Many members had paired and gone home, but the vicf all had been present. Mr. Barded house that gave the most percastic and incisive. The senate sents, to readjust her debt at 50 cents will be closer, but we believe it in the dollar, will pass the Senate. A week will probably determine. In all modern times no measure of superior ready agreed to this readjustment of You point them to section 6 of your importance has been before the not furnish gentlemen with brains to Others of the new bond holders are assembled reprerentatives of the understand it. The gentleman from late getting in, and when they seek a people Thus the State swings the bill last night. lose from Gilbert O. Walker, at the same that that arch schemen switched off the soil of Virginia and goes to try his hand on the Heathen Chince.

Pope Prus the 9th died last Thursday at a very advanced age, having disproved the prediction made with solemnity at his coronation, "Thou shalt not see the years of l'eter."

eventful reign and having witnessed the rise and consolidation of rate of texation, enable it to pass the lose your bonds ! the Italian Empires, and the fall of the dynasty of Nepoleon, has do to get rid of the obligation of a dria, who prepared and pressed this gone from the thunder of Europe preamble. Now, sir, I turn to the bill and then arose to denounce House amid the theatre of Russian guns and the overthrow of the Turkish | Here it is : Empires, He leaves Prussia the sublime embodiment of Eurepean power as she has been of Protestant belief, and the ruler of the Greek Church eleaning his sabres parking his guns in Constantinople. All this he lived to see and know, but he has left to his successor in the Vatican the mightiest and most zealous church organization that ever played a part in the rule of the world.

Speech of Mr. I. C. Fowler, of Washington County

Delivered in the House of Delegates Friday, February 8th.

The Pending Question being amount due each holder of the old cible Readjustment on record. the Consideration of House Bill No. 92 The hour being 10 50 P. M.

MR. SPEAKER. The hands on that clock, the calendar, and the exhaustion of our stenographic recorter, admonishes us that this debate is about to close and should close. I cannot consent to be a party to its protraction to a period much later in the night, Until a few moments ago the Southwest had not been heard on this Bill, which is the most important measure of this General Assembly. I had no views in which I had a personal pride that prompted their presentation to the House, but I did feel ambitious that that great section of the Commonwealth should not be silent in the effort to restore her sovereignty and readjust her debt .-But my friend from Russell (Mr. Dickenson) has performed that duty, and has presented to your consideration some views that are new and should, I think, possess great weight. I have not heard them presented by any of the other distinguished speakers who have preceded him, and they have awakened in me a lively sense of satisfaction at the manner in which he has spoken for the great valley he

represents. shall not be able to bring down this House with an agreeable surprise like my friend from Buckingbam, who has so prudently and so adroitly sailed between the Scylla and Charyb dis of this General Assembly that many of us did not know on which side of this great question he would cast the weight of his influence. There was, therefore, in many a bosem, a thrill of delight when he espoused so ably and efficiently the passage of

MR FICKLIN-Mr. Speaker, I wish to inform the gentleman from Wash- ment which the gentleman denoun- to pay the whole debt, but even he I call attention to the fact, that its ington that if he has doubted my loyalty to the principles of this bill. The gentleman wrote it and
people of Buckingham have not—
he made it as perspicuous as French

Test attention to the fact, that its
bas, in order to do so, proposed to dist
mantle the Sinking Fond, the chief
fortress in which the public creditor

Federal vergeance, and that it was They know my position, and are not plate-glass-as clear as summer air.

Is intrenched. I shall not discuss that enseted by a power that was no party proposition. The Sinking Fund stands to the contract original. In that dark ed at it.

MR. FOWLER-And, sir, so am I - creditors of the city of Alexandria stitution. There let it stay. The when she could not resist.

(Laughter). Sir! The gentleman did have previously assented to the term s simple issue then, is the Bill No 92 or Sir: No party can readjust or adhimself great credit and won the ap- of this bill, and there is and can be nothing. plause and admiration of this House no forcible readjustment in it. by his able effort on that occasion,

Since 1872 I have fought this Funding just here I call attention to the fact is known as the Brooke Bill, which thing, and as soon as she could she the black-board of 1870, are the fig.



sis of 1870,

Virginia

Actual basis furnished

by the Auditor from

actual reports in the

D'fference against poor

counties last year. \$322.570 000

Plain figures, and simple calcula-

ions these! Actual deficit over 400

millions! And yet we have made our

rate 50 cents, when Gov. Walker said

TABLEAU NO. 2.

Debt in 1878, forty-two millions.

Debt in 1871, thirty millions.

once of the tax receivable coupons :

"For with this form of coupon, or in-

terest certificate every succeeding

ngislature would be compelled to prov

the most genial balsam ever used by

Aufterers from nulmonary diseases. Which have a specific effect on the throat and lengs; detaches from the air cells all irritating matter; causes it to be expectorated, and at once checks the inflammation

which produces the cough. A single doso refleves the most distressing puroxysm, suchless nervousness, and enables the sufferer to enjoy quiet rest at night. Being a plemant cordint, it tones the weak stometh, and is specially recommended for

What others say about

Tutt's Expectorant.

Had Asthma Thirty Years.

Extremone, Petruary 2, 1875.

Ethere had Asthum thirty years, and never found

a medicine that had such a higher effect."

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"Tutt's Expectment is a familiar name in my horse by write thinks it the best medicine in the world and the children say it is 'niere than mediane

'Six, and all Croupy."

"I am the mother of six children; all of them have been croppy. Without Tutt's Expectorant, I don't think they could have survived some of the attacks.

E is a mother's blessing."
HARY STEVENS, Frankfort, Ky.

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"I have used Tatt's Puls five years in my family. They are the marted becoming a mad hillowayees."

"Thave used Tutt's Medicine with great henefit."
W. W. MANN, Editor Mobile Register.

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1. P. GARR, Attorney of Law, Augusts, Co.

A Doctor's Advice.

NOAH WOODWARD, 101 N. Poydras St.

vide the necessary means for paying

\$100,546,000

VOLUME XIII.

BRISTOL, VIRGINIA & TENNESSEE, TUESDAY, FEBRUARY 19, 1878.

Whole No. 648. No. 25 15 Gov. Walker's bas

of his increasing peril by hearing provisions under the suspicion that; Even if it could pass this House, it ac- of the State itself, that the tax pavers shell after shell that seemed to follow some at least, of these creditors would, complishes nothing unless it stood up- might be turned over to them for a him as he went. In his perilous di- or might, to use a s'ang phraze, renig on this bill as its substructure. lemma he said he ran 'sorter wab- -go back on the arrangement? Sir. bling (Laughter) .Mr. Speaker, I have I ask the gentleman if every one of propose to confine myself to very few State and the treasury, and there clad never ran "wabbling" on this debt the creditors of that city have agreed points, and I shall present them as in the cold mail of imperial power, to dvance that I shall support House for a reply. I call upon the gentle- stand in suspense awaiting definite Your money or your life! Call you man to rise here now and state ex- action of this Legislature. If it shall that not foreible adjustment? plicitly to the House whether all of fail woe unto him through whom it Is the sovereignty of this State in these creditors have agreed to this re- fails.

Before I proceed to its discussion, Mr. Speaker, I have a word for my adjustment! friend from beyond Alexandria, (Mr. Mushback), who comes here to declare that Virginia has no sovereign right to all of them, of course. There were this sovereign State, I have no de-nunciation for our bond holders as tory would not have been changed call to her aid a tax-payer then her some of them whom we could not see. nunciation for those gentlemen, who such. Like the gentlemen from life is in peril. That gentleman was MR. Fowler. - Then, I see! Yes, conscientionsly voted for that meas- Shenandeah, I do not allude to them f all had been present. Mr. Barbour closed the debate in a powerbour closed the de ust. But, sir, as a Virginian I arise to your net, and I mean to show it .- can excuse the blunder they made at though we were rich we need ditful speech of two hours to a crow- here to call him before the bar of this I will show that to that class at least | that early period, for many of them | But I do complain of them for their House, with the declaration that if you present the dire alternative of have lived to regret it, and have ac- seduction of our legislators into a new Forcible Readjustment be a mo ster half a loaf or no bread. The very knowledged the error, and tried to contract, which the people had neithfost attention. The speech was be is not the man to say so. Sir, I terms of the preamble assert that taxa- repair it. But sir, in its effect, if not er suspected, nor even would have charge him with being the author, as tion is now too high and you mean to in its design, it was a political outrage consented to. I do charge that they unlike that of any of the other be is known to be the patron, of lower it. A portion of the creditors on the people of this State. As a legspeeches, but was bold, spicy, sar- House Bill No 107, to authorize the come in and take your new bonds at islative monstrosity, it has had no without the moral consent of Virginia guage, after recommending the issucity of Alexandria, which he repre- half the amount. These present their equal in our history coupons and ask for their interest .-You reply you have not the money .-MR. MUSHBACK-Mr. Speaker, I They then present them in payment 1st. The condition of the people of the was a moral understanding between informed the House last night this for taxes, licenses, gas bills, rents, &c.,

you not satisfied with explanation?

Council of Alexandria is unable, ev-

property within the city of Alexan-

dria, to meet the accruing interest

same time make provision for the or-

dinary expenses of the municipa

government, and has asked its credi

dollar of principal thereof, to the

end that the municipal government

may be maintained, and the debt so

the tax-payers to meet it by reasons-

So the gentleman wished to readjust

and to get rid of the obligation of a

contract, and he concluded to try his

opied his preamble from our No. 92.

You see our Bill No 92 numerically

preceded on the calendar his Bill No

107. His bill provides for the issu-

ance of new bonds for half the

pone "shall be receivable at their face

"value in payment of all taxes, licen-

pons or from offering "a rebate for

payment in current money." The 5th section provides that, if for any

sary means to pay said coupons, the

courts of the city, or any State court.

shall, upon application of any of the

owners of said new unpair coupons.

compel by mandamus the cour cil to

it was put in the bill by you, and at

your request it was pressed through

this House. On second thought it was

afterward cut out. Now, sir. I desire

to read the 6th section of this Alexan-

"None of the provisions of this act

'shall apply to any creditor of said

city who does not accept the terms of

any jurisdiction under this act ex-

cept in favor of those who are held-

tion, stricken from the bill

dria Bill :

'ses, gas bills, fines, rents, debts and

"ble taxation , therefore, &c."

bill contained no compulsory feature- and you take them. Those who hold that the creditors of the city have al- on to their old bonds do likewise .its debt. I can write a bill, but I can- bill and send them away empty .-Washington knows that I explained tax-payer to whom they wish to sell their coupons, they find all such de-MR. FOWLER -Cortainly, you did. mand has been satisfied by those who MR. MUSHBACK-Then why are called earlier. They then resort to the courts at the end of 30 days and MR FOWLER-Because your expla- obtain a mandamus, and they compel nation was neither complete nor cor- you to levy an extra tax to nicet their rect. I have the highest regard per- claims. The holders of the old bonds, sonally for the gentlemen from Alex- who have not consented to this readdria, but, sir, I have the representa- justment, come forward and demand a five right, and it is my representative | mandamus, but the court points duty, to challenge his political errors them to your relentless 6th sec-House with them. I charge here be- hinited from doing this thing for a ore the people of Virginia that he has bolder of an old bond which they erpetrated the most flagitious outrage have just done for a new bondholder. of forcible readjustment, and is in no The defeated holders of the old bonds

position to cast a stone at those who then indignantly ask what remedy regard the Foreible Readjustment of they have, and are told none, unless the debt of this State a necessity. He they give up their old bonds and take the minimum amount which will He has had a splended but declared that if that preamble could, sir, is the only road to the city treasuby its declarations of the absolute in- ry. It is the only way in which they ability of the State to hear a higher can ever get a dollar. Readjust, or order of the Supreme Court, then all that any individual or any State need Mr. Speaker, there is my case against the gentleman from Alexan-

> gentleman's own bill, No. 107 and Bill No. 92, because it is for sooth forpropose to read his preamble.cible readjustment. This case of the city of Alexandria Whereas it appears that the City an anecdote, and I don't mean to be 'en at the present high rate of taxaprolific of anecdotes to-night. A certion upon a full assessment of the tain individual, who had money and knew very little as to the methods of on the debt of that city, and at the ising it, was induced to go into busitheory that it would be a good ar- mechinery rangement to allow the latter to furtors to assent to a compremise of said debt at the rate of fifty cents in the

nish the business experience, while he furnished the capital. At the end of and ability of the State. two years the curtain arises on a tableau in which the situation of the 'arranged as to bring the aggregate leau in which the situation of the increst thereon within the ability of partners is reversed. The once lean ndividual had the capital and the other the business experience .-

New, sir, I shall submit to the verband at the preamble business.— (Laughter). Why, sir, I believe he dict of this House whether I have not proven, beyond the possibility of all question, now and forever, that my friend from Alexandria, who denounces Forcible Readjustment in No. 92, has not put up the finest case of For-

bonds. It provides that the new cou-I thought my friend in his remarks for taxation. last night, and reiterated to-night, passed the delicate bounds of that courtesy which has heretofore distir. 'demands due said city council," and the same shall be so expressed on guished him. I had marked him as their face, and said city is disallowed one of the most courteous and cultithis or any other legislature, and was more Sinking Fund or I die !! " proud of my good relations with him as such. But he stated that I had not cause the city council shall for 30 days at any time fail to provide the neces- the ability nor penetration to understand a bill when it had been written. I submit to you, and to the House, whether in this he did not violate the rules of culture and legislative cour-

levy a tax sufficient to pay them .--But it contains a proviso that said tax Now, Mr. Speaker, having disposshall not at any time exceed the rate of one dollar and seventy-five cents al matters, I shall reconsider my puron the hundred, and right here, Mr. pose to address myself to the princi-Speaker, is a speck of forcible adjust-MR. MUSHBACK -- Mr Speaker, I wish to inform the gentleman that this proviso has been, on my own mois so late, I will not afflict the House MR. FOWLER-Yes, sir! It was with a prolongation of the discusstricken out to-day in the Senate, but sion. (Cries of go on-go on !

The simple issue presented in this repudiate one-third of our public debt, or reassert the sovereignty of the State over her revenues, and after an economical and greatly reduced administration of the Government, pay franchises, or repealable as to none. the remainder thereof allke to all the holders of our bonds said compromise and exchange his

nothing to propose. My friend from this forcil fe adjustment made, by Sir, there is your Forcible Readjust- Richmond, Mr. Henry, has proposed which he chokes Virginia?

MR. FOWLER.-Well, sir! I mean fore. The other branch of this assented to by the people of Virginia. I hold in my hand. Beside him on My position has long been known, to show this House that there is, and General Assembly have passed what She sent no sgents here to do this

It proposes to cut the chains which prospective of this debt? MR. MUSHBACK .- No, sir. Not all the Funding Bill of 1871 has put upon | Now Sir : I have no word of de-

> The bill contains three propositions parties. I do assert here in the forum and no more. It asserts

2d. This rate is insufficient to pay for Government and the entire interest on the public debt. id. The administration of the Govern-

the present one.-viz. 50cts.

ment must be paid or no interest can be paid on the debt. The second and third propositions are self-evident, and the first has been solemnly affirmed by this House,

with only 4 dissenting votes, With the principles of this bill exended to the tax on licences, I am willing it shall go forth to the people as the readjustment of the Public

It proposes to restore the sovereigny of the State, and to make each Gen ral Assembly the Judge, and the sole Judge of the amount that can wisely and humanely be taken from the citizens for public uses. Of this maximatter of the Public Debt. For the State being once dead, or its vitality once suspended, there can be no hope for the Public Creditor. It is as much as to say, the State must be fed and clothed, before it can be led to the bar of justice, and held to a virtuous pub-

The Bill does not rest on compromise enforced, or voluntary, but is pased on the law of self-preservation, as prerequi-ite to the obligation to pay and her bondholders reminds me of the public debt. It proposes to oil repair, and furnish motive power to the public machinery, and it then places at the disposal of the creditor the remaining revenue.

He service

I maintain there can be no revenue for any other purpose, or person, that ness with a lean adventurer, under the stops the levers, and valves of this This Bill proposes to restore the

> contract, that of resting on the virtue Never will I admit, that it was part of the contract that this debt should be a lien on the life of the State-that it should stand between the Commonwealth and her treasury -that it was understood the Common wealth should at each annual inspira for roll from its lungs, this huge of

trule to its existence. Sir, can it be said, that If the Legisature of 1871 had hypothecated for the payment of t is interest, a transfer of he Right of Eminent Domain it would not have exceeded its authority? The Right of Emment Domain, stands not higher than the right of the sovereign to access to the subject

Suppose this Public Debt had been 300. instead of 30 millions! Where, in that event, would have gone the let us have it all. Government of Va.? Even my friend from Richmond would have failed, and I imagine he would have from discriminating against said cou- vated gentlemen I had ever met in cried "more Sinking Fund! give me I fail to see in this measure any necessary antagonism to the decision in the case of Antoni vs. Wright. That decision denied the right of the State to debar the new coupons from all rank as tax currency. This Bill ad- cate our calculations of the rate of mits they shall be allowed to rank as taxacion necessary to be imposed to has done with the tax payer for pur-poses of prime necessity. It does de-clare that as against all else, this peed of these preliminary and incident- culiar power and privilege shall be General Assembly of 1806-67, and allowed them. The State could enter which has been continued ever since,

dice. So says this Bill, ples and consequences of this great It does promulgate and proclaim measure to readjust the sovereignty that no Stafe can be forced to divorce taxation upon the basis above menand the debt of this State. The hour itself from the right of access to its tioned, would produce the sum of tax payers, for this prime purpose of \$2.892.462.35. Add to this the inst self-preservation. It antagonizes that doctrine of For-

sible Adjustment, which leaves one class of our creditors to devour the 18, and the tax upon oysters, licences Bill is whether we shall continue to rights and property of another - It and incomes, say \$400 000, and the Physician & Surgeon. contains in essence, and by indirec- amount will be \$3,361,255,53, or tion the declaration that the Funding Bill of 1871 was repealable as to all the parties who were eligible to its Sir, it has been said this Bill takes I shall not stop to debate our ability sol creditors be meant. I will ask why. securities bereunder, nor shall said to pay three per cent, nor advise the and by what right, he has his hand courts, or the judges thereof have issuance of new bonds at four. No such on the throat of the Peeler creditor? measure is before this House, and I By what right has he his hand on the licence of 400 thousand dollars, to am not sure it should pass any such, throat of this Commonwealth? Was

times informed the gentleman that the embedded in the granite of the Con- hour, he put his hand on Virginia

just, unless the contractor be dead, or

third of a century, that they le allow In the consideration of this bill, I ed to step permanently between the

as one of the original high contracting

of this Commonwealth, that there

Commonwealth, renders impractica- them and the people of Virginia, ble, a greater rate of taxation than when this debt was made, that only a part of it should rest upon the lands | the interest on the public debt, or d. This rate is insufficient to pay for an economical administration of the Government and the cutire interest one end of this heavy obligation rest. ed on the lands, and the other end on the slave property. They did know and do now know, that a proposition to rest the whole weight of this debt on the landed property would never have been consented to by Virginia -I leave out of consideration other personal property. That portion of the basis was small, and was swept away by the war. Here Sir: You have the illustration, as I hold this book resting on my two hands, the one representing the real vatate support, and the other the slave properly support. They knew this, and they took their risk. The war passed. By an edict of the conqueror, the slave support was taken from beneath one end o this debt. They well knew there was danger, that their debt with one-half its support removed, would do as this book does when it falls. In this emergency they came here into the tobby of this State House, and asked an unsuspecting or unreflecting agency o double the unsupported end of the deat back upon the land, so that the real estate basis should carry both nds of it. I do charge this as such a

I believe it was an illustrious ancentor of my friend from Richmond. Mr. Henry) who said "I have no light by which to guide my feet, but the lamp of experience" By this lamp I ask that gentlemen to go back with me to 1870, and again debt to the position assigned it by the | walk down this exectful and mourn-

iolation of good taith, as should de-

rive them of some of the sympathy

of the world when they come now

and claim that the cold mill stone of

simply legal justice, shall be allowed

to fall upon us, and grind us to pow-

tul decade. First sir, we shall encounter the other of this Funding Bitl, which ike the herse of Troy, he rolled into that Legislature, where it was by tampering hands, disembaweled of the surpents, that have crawled and resed across our pathway, and our h eshholds, until we are about to be driven from this griden of our fa-

What did Gov. We ker say was the pasis for that adjustment of 18713 Hr speaker, I should like to read you from his own message which I have here at hand, but my time is growing short, and I shall refrain, only naming the figures. (Cries of read it-

Very good sir: I read from hi message of December 7, 1870, and I ask the House to mack particularly the language:

"If this estimate be correct the sum total of the real and personal property, at the present time is \$723. 115,589, upon which we may predilegal tender for taxes, after the State realize a sum sufficient to meet our annual liabilities The rate of taxation on real estate, established by the on no new enterprise to their preju- was forty cents on the one hundred dollars of value. The same rate of terest, upon the interest paying securities held by the State, say \$71,193 more than the sum total, of our annual liabilities.

\$728 millions! There then is the magna charta for your Funding Bill! the creditor by the threat. If the Con- Did he not declare that 40 cents as a rate of taxation on this basis, would be sufficient, when added to the "ers of the coupons for interest on the bonds hereby authorized to be isThe opponents of this bill have instance, and on whose motion was lions, or more than we wanted.

The opponents of this bill have instance, and on whose motion was lions, or more than we wanted. bring us over three and a third mil-

The Funding Bill, thus painted like silver Venus on her blue prothe first born of our new marriage | Will resume the practice of his pros | Federal court at ablingdon with the Federal Union.

The curtain falls. Eight long years week. pass and the curtain rises. Before Coming events cast their shadow her consenting. This measure was never us stands the auditor with this report Since 1872 I have fought this Funding Bill, and advocated a readjustment of the gentleman has said this bill has the gentl ures of Gov. Walker. The Auditor tal Operations and guarantee Satisfac- WE are now ready to receive the new crop

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Aug 8, 76 - tf.

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ties. Tenn, and attend to the collection of all claims in Southwest Va. & E. OFFICE, on Cumberland Street Goodsep 1 '70-tf. son, Va.

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Attorneys at Law. BRISTOL, TENNESSEE. 7 ILL practice in all the Courts of Sul livan and Washington Counties, n the Supreme Court of the State, and United States Court at Knoxville. All claums col-

H. S. PRESTON, ATTORNEY AT LAW.

DRACTICES in all the Courts of Wash ington and Russell counties. Circuit at Abingdon.

July 11'73tf.

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